



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF VETERINARY MEDICINE**

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PUBLIC MEETING MINUTES:	<b>BOARD OF VETERINARY MEDICINE</b>
MEETING DATE AND TIME:	<b>Tuesday, December 13, 2016 at 1:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES FOR APPROVAL:	01-10-2017

**MEMBERS PRESENT**

Erin Whaley, DVM, President (exited at 2:24 p.m.)  
Joanna Miller, LVT, Vice President  
Craig Stonesifer, DVM  
Patricia Ennis, Public Member  
Ann Sellers, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Nicole Williams, Administrative Specialist III

**MEMBERS ABSENT**

Lisa Garrison, LVT

**OTHERS PRESENT**

Dr. Hooshang Shanehsaz, R.Ph., Board of Pharmacy Professional Member  
Dr. Heather Hirst, Dept. of Agriculture  
Dr. Bob Thomas, DVMA  
Scott Kidner, DVMA

**CALL TO ORDER**

Dr. Whaley called the meeting to order at 1:06 p.m.

**REVIEW OF MINUTES**

The Board reviewed the minutes of the October 11, 2016 meeting.

Ms. Ennis made a motion, seconded by Dr. Stonesifer, to approve the minutes as written. By unanimous vote, the motion carried.

## **UNFINISHED BUSINESS**

### **Deliberations for Public or Written Comments for Rules and Regulations**

Ms. Kelly advised that there were no written comments submitted and no public comments regarding the rules and regulations hearing last meeting. Ms. Kelly made technical changes to the proposed draft rules and regulations that was not in the published notification. Ms. Miller made a motion to accept the updated draft regulations as submitted, seconded by Dr. Stonesifer. By unanimous vote, the motion unanimously carried. The Board signed the final order for the adopted rules and regulations.

### **Discussion of Compounding for Veterinary use and Pharmacy Board Regulation 5.1.7.1**

Ms. Kelly advised the Board regarding the compounding for veterinary use per the Pharmacy Board's Rule 5.1.7.1. Ms. Kelly read the regulation for the Board. Ms. Kelly stated that the Food and Drug Administration, the "FDA", has published guidance on Pharmacy Compounding of Human Drug Products, which the Board reviewed. The FDA provided guidance comments on nonbinding recommendations. Ms. Kelly stated the issue concerning the Veterinarians is the need in cases of emergencies to have medications on hand and this new regulation will prevent Vets from having medications on site when needed. There was no great consensus amongst other States regarding this matter. The Board reviewed the draft regulations established by the DVMA to allow compounding for Vets in Delaware, specifically Rule 5.1.7.1 was broken into compounding use for human and non-human use, as edited Rule 5.1.7.1 and 5.1.7.2. The DVMA draft was modeled after Maryland's compounding regulations. The Board of Pharmacy has a concern with the number of days that a medication is dispensed.

The Board reviewed and discussed the Maryland Compounding law. The Maryland Board places a limit on the total amount of drug products sold or dispensed from the pharmacy to not exceed 10%. The intent of that regulation was to address a non-federally approved pharmacy performing non-patient specific compounding. The Board reviewed Maryland's requirements for dispensing compounded medications which pertains to veterinarians. The Board discussed how the Pharmacy Board will be able to regulate the 7 day limit.

Dr. Whaley stated that the ideas and options currently present are one being to limit the compounding pharmacies from only selling 10 percent of their total product for hospital use across the county not just limited to our State and the other option being to just set the limitation to a 7-day supply. Dr. Stonesifer did not agree with the 7-day limit. Ms. Kelly advised that this current Pharmacy regulation does not specifically address veterinarians however there is concern that it will pose a problem for veterinarians and the pharmacies. The DVMA came up with language that does not provide a day limit, but the Pharmacy was not comfortable with that proposed change.

Dr. Hooshang Shanehsaz, a professional member for Board of Pharmacy, introduced himself and addressed the Board regarding the Pharmacy compounding regulations. Dr. Shanehsaz provided the response for why there are limitations on compounding for pets as well as for humans. Ms. Miller inquired why the Pharmacy Board is regulating the veterinarians if the pharmacy is already being regulated. Dr. Shane responded that the Pharmacy is not regulating veterinarians only providing regulations for compounding medications. The current law does not regulate compounding with prescriptions that are in office, only medications at pharmacies.

The Board discussed that it does not support the 7 day limit or amending its practice act.

Dr. Bob Thompson on behalf of the DVMA addressed the Board regarding the Maryland law pertaining to the 10 percent total amount limit. Scott Kidner on behalf of DVMA also addressed the Board regarding the 10 percent total amount limit.

Dr. Shanehsaz stated that the Pharmacy subcommittee will be discussing this further on Friday, December 16 and would be happy to come back before the Veterinary Board again for further discussion and clarification.

## **NEW BUSINESS**

### **Discussion of 24 Del. Code Ch. 33, Subch. 11, Section 3315 - Temporary license and permit Dr. Hirst**

Dr. Heather Hirst, Secretary of the Department of Agriculture, introduced herself and addressed the Board regarding temporary licensure in an emergency crisis. Dr. Hirst inquired if someone from another state can come in to the State that is not Delaware licensed to assist with an emergency crisis. Ms. Kelly advised that currently the Board does not have that in their law. Dr. Hirst inquired if a request can be made to amend the Board's statutory language to include language for emergency procedures for someone that is not licensed in the State to come in from another State. Ms. Kelly advised of the PT statute regarding emergency assistance during a national crisis. Currently veterinarians have the option to obtain a temporary permit when they are actively licensed in another State and meet certain criteria. The other criterion required is very limited and allows for quick licensure within the Division without having to be approved by the full Board.

### **Ratification of Veterinarian Application(s) by Reciprocity**

Dr. Stonesifer made a motion, seconded by Ms. Ennis, to ratify the following persons for Veterinarian licensure by reciprocity:

Chrstine Mulling, Temp Permit	Lindsey Heller	Jacqueline Torres
Eric Willingham	John Kottenstette	Laura D'Aurora

By unanimous vote, the motion carried.

### **Ratification of Veterinarian Application(s) by Reciprocity**

Dr. Stonesifer made a motion, seconded by Ms. Sellers, to ratify the following persons for Veterinarian and Veterinary Technician licensure by examination:

Diana Maria Cortes, Veterinary Technician	Chelsea Dillon, Veterinarian
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By unanimous vote, the motion carried.

### **Review of Application for Mark Dekich – Conviction Charge**

The Board reviewed and discussed the application and documentation for Dr. Mark Dekich for licensure as a Veterinarian by Reciprocity. Ms. Kelly advised the Board of the lack of complete explanation for the federal conviction in the State of Maine. Ms. Miller made a motion, seconded by Dr. Stonesifer to table the application for further clarification regarding the conviction. By unanimous vote, the motion carried.

### **Review of Reinstatement Application for Kristen Bradley**

The Board reviewed and discussed the reinstatement application for Kristen Bradley. Dr. Stonesifer made a motion, seconded by Ms. Sellers, to approve the application to reinstate the Veterinarian license for Kristen Bradley. By unanimous vote, the motion carried.

#### Review of Reactivation Application for Rosemary Early

The Board reviewed and discussed the reactivation application for Rosemary Early. Ms. Miller made a motion, seconded by Dr. Stonesifer, to approve the reactivation for Rosemary Early. By unanimous vote, the motion carried.

#### Status of Complaints

Complaint #28-15-15 – Dismissed by the AG's Office

Complaint #28-03-16 – Dismissed by the Investigator

Complaint #28-05-16 – Dismissed by the Investigator

#### Review of 2016 Continuing Education Audits

##### Review and Discussion of Audit Letter Request from Sara Partch, Vet Tech

The Board reviewed Ms. Partch's letter of request and audit documentation. Dr. Stonesifer made a motion to approve her CE audit, seconded by Ms. Miller. By unanimous vote, the motion carried.

##### Review and Discussion of Audit Letter Request from Carly Painter, Vet Tech

The Board reviewed Ms. Painter's letter of request. Dr. Whaley made a motion to approve Ms. Painter's extension to submit her audit documentation, seconded by Dr. Stonesifer. By unanimous vote, the motion carried.

##### Review of Consent Agreement – Louis Bauslaugh Case 28-02-16

The Board reviewed the consent agreement for Louis Bauslaugh. Dr. Stonesifer made a motion to accept the consent agreement as submitted, seconded by Ms. Miller. By unanimous vote, the motion carried.

#### **CORRESPONDENCE**

##### Continuing Education Letter from Stephen Kellner, Priority Press, Ltd.

The Board reviewed the letter regarding continuing education from this facility that is RACE approved.

##### Review of the 2017 Meeting Calendar

The Board reviewed the 2017 meeting dates. Ms. Miller made a motion to approve the calendar as submitted, seconded by Ms. Sellers. By unanimous vote, the motion carried.

#### **OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)**

There was no other business before the Board for discussion.

#### **PUBLIC COMMENT**

There was no public comment.

**NEXT SCHEDULED MEETING**

The next meeting is scheduled for Tuesday, February 14, 2017 at 1:00 p.m. in a Conference Room A at the Cannon Building, 861 Silver Lake Blvd., Suite 203.

**ADJOURNMENT**

There being no further business before the Board, Ms. Miller made a motion, seconded by Dr. Stonesifer to adjourn the meeting. The meeting adjourned at 2:58 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Williams".

Nicole M. Williams  
Administrative Specialist III

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*